

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

GERONIMO LUNA-GARCIA,
Defendant.

NO. CR-04-2077-EFS

**ORDER GRANTING THE
GOVERNMENT'S ORAL MOTION TO
DISMISS AND DENYING AS MOOT
ALL PENDING MOTIONS**

On March 24, 2006, during a sentencing hearing held in Case No. CR-02-6017-EFS, the Court sentenced Defendant Geronimo Luna-Garcia to a 120-month term of imprisonment. During that hearing, Defendant was represented by Nicholas Marchi, and Gregory Shogren appeared on behalf of the Government. At the conclusion of the sentencing hearing, the Government orally moved the Court for a dismissal of the Indictment (Ct. Rec. 1) filed in this case. The Government's oral motion was made pursuant to the terms of the parties' plea agreement in Case No. CR-02-6017-EFS.

Under Federal Rule of Criminal Procedure 48(a), the Government may, with leave of the Court, dismiss an indictment. Accordingly, finding no reason to not permit the Government to dismiss the Indictment in this case, the Court hereby grants the Government's oral motion to dismiss.

